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April 13, 2018

Honorable Joanna Seybert
U.S. District Judge
100 Federal Plaza
Central Islip, New York 11722

FILED BY ECF

Re: Culiver, et al. v. USA, et al., 17 CV 03514 (JS) (SIL)

Dear Judge Seybert:

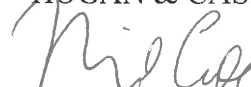
This Firm represents the plaintiffs, Connor Culiver, David Burkhardt, Michael Heckmuller, Gavin Yingling and Cory Maier (collectively "Plaintiffs"), in the above-captioned matter. As required by the Court's April 11, 2018 Order, this letter shall serve as a status report. Significantly, all issues in this action have been resolved and a stipulation dismissing the action has been filed with the Court.

In addition, since the action has now been dismissed and for the reasons set forth in the last page of the letter submitted to the Court earlier today by Defendants' attorney, John Doe's request that the Court maintain the status quo until he files a motion to intervene in this action should be denied. See Disability Advocates, Inc. v. New York Coalition for Quality Assisted Living, Inc., 675 F.3d 149, 160 (2d Cir. 2012) ("Rule 24 does not itself provide a basis for jurisdiction. Accordingly, 'since intervention contemplates an existing suit in a court of competent jurisdiction and because intervention is ancillary to the main cause of action, intervention will not be permitted to breathe life into a 'nonexistent' law suit.'"); Patton Boggs LLP v. Chevron Corp., 2016 U.S. Dist. LEXIS 169286, at *23, 2016 WL 7156593 (S.D.N.Y. Dec. 7, 2016) ("An application to intervene presupposes the continued existence of a lawsuit over which the court has jurisdiction and, in consequence, that a motion to intervene in a terminated case must fail").

I appreciate the Court's attention to this matter.

Respectfully submitted,

HOGAN & CASSELL, LLP



Michael Cassell

cc: All counsel (via ECF & email)